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| UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA | |
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| v. | CASE NUMBER |
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| Plaintiff(s), | |
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| Defendant(s). | NOTICE OF DISMISSAL PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE 41(a) or (c) |
|---------------|----------------------------------------------------------------------------------------------|

PLEASE TAKE NOTICE: (*Check one*)

- ☐ This action is dismissed by the Plaintiff(s) in its entirety.
- ☐ The Counterclaim brought by Claimant(s) _____ is dismissed by Claimant(s) in its entirety.
- ☐ The Cross-Claim brought by Claimants(s) _____ is dismissed by the Claimant(s) in its entirety.
- ☐ The Third-party Claim brought by Claimant(s) _____ is dismissed by the Claimant(s) in its entirety.
- ☐ **ONLY** Defendant(s) _____

is/are dismissed from (*check one*) ☐ Complaint, ☐ Counterclaim, ☐ Cross-claim, ☐ Third-Party Claim brought by _____.

The dismissal is made pursuant to F.R.Civ.P. 41(a) or (c).

| | |
|---------------|--------------------------------------|
| _____ Date | _____ Signature of Attorney/Party |
|---------------|--------------------------------------|

NOTE: F.R.Civ.P. 41(a): This notice may be filed at any time before service by the adverse party of an answer or of a motion for summary judgment, whichever first occurs.**F.R.Civ.P. 41(c):** Counterclaims, cross-claims & third-party claims may be dismissed before service of a responsive pleading or prior to the beginning of trial.

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of May, 2019, I electronically filed the foregoing **NOTICE OF DISMISSAL OF DEFENDANTS, ORTHOCOR MEDICAL, INC. AND CAERUS CORP.** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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I also certify the document and a copy of the Notice of Electronic Filing was served via email on the following non-CM/ECF participants:

/s/ Roland J. Tong
Roland J. Tong